Reg. No. KRNA—25.

Karnataka Gazette
PUBLISHED BY AUTHORITY

Vol. 109 | BANGALORE, THURSDAY, APRIL 18, 1974 (CHAITRA 28, SAKA ERA 1896) | No. 16

PART I

IMPORTANT GOVERNMENT ORDERS

HOME SECRETARIAT

Grant of Remissions to prisoners on the occasion of changing the name of the State from Mysore to Karnataka.

PREAMBLE:—

The Inspector General of Prisons has recommended to Government that on the historic occasion of changing the name of the State from "Mysore" to "Karnataka" remission be granted Several categories of prisoners to commemorate the occasion.

ORDER No. HD 134 PRR 73, BANGALORE, DATED THE 22ND OCTOBER 1973.

Government have considered the above proposal of the Inspector General of prisons and are pleased to direct; in exercise of powers conferred by sub-section (1) of Section 401 of the Criminal Procedure Code, that REMISSIONS be granted as under to prisoners *convicted under the State Laws* and undergoing imprisonment in the jails of this State or in jails in the other States, on 1st November 1973 to commemorate the above occasion ;

(1) (a) Prisoners sentenced to imprisonment of more than 10 years or inprisonment for life, shall be granted remission of one year.

(b) Prisoners sentenced to imprisonment for more than 5 years and upto 10 years shall be granted remission for six months.

(c) Prisoners sentenced to more than one year and upto 5 years imprisonment shall be granted remission of three months.

(d) Prisoners sentenced to imprisonment for more than 1 month and upto one year should be released provided they have served half of their sentence inclusive of remission previously earned and if they do not qualify for release, they should be granted remission upto 2 months.

(e) Prisoners sentenced to imprisonment for one month or less shall have the whole of the unexpired portion of their imprisonment remitted and they should be released on 1st November 1973.

Note:—The above concessions are also applicable to prisoners undergoing sentence in lieu of fine and to juvenile delinquents (who were less than 21 years of age at the time of conviction) whether in Borstal Schools or Reformatory Schools.

(2) The above concessions in para (1) are not applicable to the following categories of prisoners *viz*.,

(i) habitual offenders;

(ii) Prisoners detained in jail under Sections 106, 107, 108, 109 or 110 of the Criminal Procedure Code;

(iii) Prisoners convicted of offences under Chapters IX, X and XI of the Indian Penal Code or offences under the prevention of Corruption Act 1947 as amended from time to time or the Suppression of Immoral Traffic Act, 1956.

(iv) Prisoners convicted of robbery, dacoity, assault on or employment of criminal force to a woman with intent to outrage her modesty, offences under Sections 359 to 377 of the Indian Penal Code; extorting confession; and abetment of and attempt to commit such offences;

(v) Prisoners convicted of murder or for culpable homicide not amounting to murder or attempt to commit murder or abetment of murder.

(3) In case of offenders mentioned in para (2) above remissions be granted on the following scales;

(a) Prisoners sentenced to more than 10 years imprisonment or for life shall be granted remission of 6 months.

(b) Prisoners sentenced to imprisonment for more than 5 years or upto 10 years shall be granted remission of 3 months.

(c) Prisoners sentenced to imprisonment for more than one year or upto 5 years shall be granted remission of one and a half month;

(d) Prisoners sentenced to imprisonment upto one year should be released provided they have served three-fourth of their sentence inclusive of remission previously earned and if they do not qualify for release, they should be granted remission upto one month.

(4) Concessions granted as above in paras (1) and (3) above are *not applicable* to the following categories;

(1) detenus of any class;

(2) prisoners convicted by court martial and

(3) Persons convicted of offences under Sections 3 to 10 of the official Secrets Act, 1923, Sections 2 and 3 of the Criminal Law Amendment Act, 1961, Sections 121 to 130 of the Indian Penal Code and Foreigners and Passport Acts. The cases of conviction under the Foreigners Act and Passports Act may, however be screened and convicts may be granted remission in accordance with the scale mentioned in (1) above if the involvement is of technical nature and no espionage is suspected.

By Order and in the name of the Governor of Mysore,

K. S. L. SASTRY,

Under Secretary to Government,
Home Department.

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